

United States Bankruptcy Court
Eastern District of Missouri

In re Edward W Johnson

Case No. 11-48189

Debtor(s)

Chapter

13

Hearing Date: 09/01/11

Hearing Time: 11:00 A.M.

CHAPTER 13 PLAN

**PAYMENTS. Debtor is to pay to the Chapter 13 Trustee the sum of the following amounts:
(complete one of the following payment options)**

\$ 275.00 per month for 36 months.

\$ per month for months, then \$ per month for months, then \$ per month for months.

A total of \$ through , then \$ per month for months beginning with the payment due in , 20 .

In addition, Debtor shall pay to the Trustee, and the plan base shall be increased by the following:

(1) Debtor shall send any tax refund received during the plan to the Trustee; however, debtor may retain a portion of a tax refund to pay income taxes owed to any taxing authority for the same period as the refund. Debtor may also retain from such refunds the lesser of the sum of two monthly plan payments or \$600 from such tax refunds, each year, for necessities. (2) Fifty percent of any employee bonus or other distribution paid or payable to the debtor during the term of the plan. (3) Additional lump sum(s) consisting of NONE, if any, to be paid to the Trustee.

A minimum of 0% will be paid to non-priority unsecured creditors. (Dollar amount or 100%)

DISBURSEMENTS. Creditors shall be paid in the following order and in the following fashion. Unless stated otherwise, the Chapter 13 Trustee will make the payments to creditors. All disbursements by the Trustee to be made pro-rata by class, except per month disbursements described below:

1. **Trustee and Court Fees.** Pay Trustee a percent of all disbursements as allowed by law and pay filing fees if the Court enters an order providing for filing fees to be paid in the Chapter 13 plan.

2. **Executory Contract/Lease Arrearages.** Trustee to cure pre-petition arrearage on any executory contract accepted in paragraphs 3(A or B) over the following period, estimated as follows:

CREDITOR NAME	TOTAL AMOUNT DUE	CURE PERIOD
<u>-NONE-</u>		

3. Pay sub-paragraphs concurrently:

(A) **Post-petition real property lease payments.** Debtor assumes executory contract for real property with the following creditor(s) and proposes to maintain payments in accordance with terms of the original contract as follows:

CREDITOR NAME	MONTHLY PAYMENT	BY DEBTOR/TRUSTEE
<u>-NONE-</u>		

(B) **Post-petition personal property lease payments.** Debtor assumes executory contract for personal property with the following creditor(s) and proposes to maintain payments in accordance with the terms of the original contract as follows:

CREDITOR NAME	MONTHLY PAYMENT	EST MONTHS REMAINING
<u>-NONE-</u>		

(C) Continuing Debt Payments (including post-petition mortgage payments on real estate other than Debtor's residence) Maintain payments of the following continuing debt(s) in accordance with terms of the original contract with any arrearages owed at the time of filing to be cured in paragraph 5A below:

CREDITOR NAME **MONTHLY PAYMENT**

(D) Post-petition mortgage payments on Debtor's residence. Payments due post-filing on debt(s) secured by lien(s) on Debtor(s) residence to be at the monthly amount listed below (or as adjusted by creditor under terms of loan agreement) to:

CREDITOR NAME	MONTHLY PAYMENT	BY DEBTOR/TRUSTEE
Old Republic Equity Credit Services, Inc	317.00	Debtor
MetLife Home Loans	1,100.00	Debtor

(E) **DSO claims in equal installments.** Pay the following pre-petition domestic support obligation arrears in full in equal monthly installments over the life of the plan, estimated as:

CREDITOR NAME **TOTAL AMOUNT DUE** **INTEREST RATE**

-NONE-

4. **Attorney Fees.** Pay Debtor's attorney \$ 1,600.00 in equal monthly payments over 12 months. Any additional fees allowed by the Court shall be paid pursuant to paragraph 6 below. [See procedures manual for limitations on use of this paragraph]

5. Pay sub-paragraphs concurrently:

(A) **Pre-petition arrears on secured claims paid in paragraph 3.** Pay arrearage on debt secured by liens on real property in equal monthly installments over the period and with the interest rate identified below, estimated as follows:

CREDITOR NAME	TOTAL AMOUNT DUE	CURE PERIOD	INTEREST RATE
-NONE-			

(B) Secured claims to be paid in full. The following claims shall be paid in full in equal monthly payments over the period set forth below with 6.01 % interest.

CREDITOR	EST BALANCE DUE	REPAY PERIOD	TOTAL w/INTEREST
MetLife Home Loans	0	48 months	0
Old Republic Equity Credit Services, Inc	0	48 months	0

(C) **Secured claims subject to modification.** Pay all other secured claims the fair market value of the collateral, as of the date the petition was filed, in equal monthly payments over the period set forth below with 6.01 % interest and with any balance of the debt to be paid as non-priority unsecured debt under paragraph 9(A), estimated as set forth below:

CREDITOR	BALANCE DUE	FMV	REPAY PERIOD	TOTAL w/INTEREST
Ford Credit	6,600.00	2,200.00	36 months	2,409.77

(D) **Co-debtor guaranteed debt paid in equal monthly installments.** The following co-debtor guaranteed claim(s) to be paid by Trustee or by the co-debtor as noted below. If paid by Trustee, pay claim in equal monthly installments over the period and with interest as identified below.

CREDITOR EST BALANCE TRUSTEE/CO-DEBTOR PERIOD INTEREST RATE
-NONE-

6. Pay \$ 2,000.00 of debtor's attorney's fees and any additional attorney fees allowed by the Court.

7. Pay sub-paragraphs concurrently:

(A) **Unsecured Co-debtor guaranteed claims.** The following unsecured co-debtor guaranteed debt to be paid by Trustee or by the co-debtor as noted below. If paid by Trustee, pay claim in full with interest rate as identified below:

CREDITOR NAME	EST TOTAL DUE	TRUSTEE/CO-DEBTOR	INTEREST RATE
-NONE-			

(B) **Assigned DSO Claims.** Domestic support obligation arrearages assigned to, or recoverable by, a governmental unit, to be paid a fixed amount with the balance to be owed by the Debtor(s) after completion of the Plan, pursuant to §§507(a)(1)(B) and 1322(a)(4). Regular payments that become due after filing shall be paid **directly** by Debtor(s).

CREDITOR	TOTAL DUE	TOTAL AMOUNT PAID BY TRUSTEE
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-NONE-

8. **Priority Claims.** Pay the following priority claims allowed under 11 U.S.C. section 507 in full, estimated as follows:

CREDITOR NAME	TOTAL AMOUNT DUE
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IRS **1,197.00**

Missouri Department of Social Services	1,226.00
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9. Pay the following sub-paragraphs concurrently:

(A) **General Unsecured Claims.** Pay non-priority, unsecured creditors. Estimated total owed: \$ **162,722.88**.

Estimated amount available \$ **727.75**. Estimated repayment in Chapter 7: \$ **0.00**. Amount required to be paid to non-priority unsecured creditors as determined by 1325(b) calculation: \$ **0**.

(B) **Surrender of Collateral.** Debtor proposes to surrender the following collateral to the following creditor(s) with any deficiency paid as non-priority unsecured debt:

CREDITOR	COLLATERAL
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Federal Finance MRCA **Vending machines**

(C) **Rejected Executory Contracts/Leases.** Debtor rejects the following executory contract(s) with the following creditor(s). Any balance to be paid as non-priority unsecured debt.:.

CREDITOR	CONTRACT/LEASE
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-NONE-

10. Other:

11. All secured creditors shall retain the liens securing their claims until the earlier of the payment of the underlying debt determined under non-bankruptcy law or discharge under section 1328. However, the Debtor will request avoidance of non-purchase money liens secured by consumer goods as well as judicial liens which impair exemptions and said creditors will not retain their liens if the Court enters an order granting the Debtor's request to avoid the liens.

12. Any pledged credit union shares or certificates of deposit held by any bank shall be applied to the amount owed such Claimant.

13. Title to Debtor's property to re-vest in Debtor upon confirmation. Debtor is not to incur further credit or debt without the consent of the Court unless necessary for the protection of life, health or property and consent cannot be obtained readily.

14. Any post-petition claims filed and allowed under 11 U.S.C. § 1305 may be paid through the plan.

CREDITOR'S NOTICE: YOU MUST FILE A CLAIM IN ORDER TO PARTICIPATE IN DISBURSEMENTS PROPOSED HEREIN. CLAIMS SHALL SHARE ONLY IN FUNDS DISBURSED AFTER THE CHAPTER 13 TRUSTEE RECEIVES THE CLAIM. IN COMPLIANCE WITH ORDER OF THE COURT, ABSENT A SPECIFIC ORDER OF THE COURT TO THE CONTRARY, THE CHAPTER 13 TRUSTEE, RATHER THAN THE DEBTOR, WILL MAKE ALL PRE-CONFIRMATION DISBURSEMENTS PURSUANT TO SECTION 1326(a). ALL CREDITORS ENTITLED TO PRE-CONFIRMATION DISBURSEMENTS, INCLUDING LEASE CREDITORS, MUST FILE A PROOF OF CLAIM TO BE ENTITLED TO RECEIVE SUCH PAYMENTS FROM THE CHAPTER 13 TRUSTEE. PURSUANT TO LOCAL RULE, THE PROOF OF CLAIM SHALL CONTROL THE VALUATION OF COLLATERAL AND ANY VALUATION STATED IN THE PLAN SHALL NOT BE BINDING ON THE CREDITOR.

Date August 11, 2011

Signature

Edward W Johnson
Debtor

(L.F. 13 Rev. 10/08)

B BELOW MEDIAN DEBTORS ONLY

**AMOUNTS NECESSARY TO BE PAID TO GENERAL UNSECURED CREDITORS
PURSUANT TO 11 USC SECTION 1325(b) CALCULATED AS FOLLOWS:**

Current Monthly Income: Form B22C line 11 \$0

MINUS

Received child support, foster care or disability for child

\$

Payroll deductions for payment of loan from qualified retirement plan	\$
Child support paid	\$
Payroll and social security taxes	\$0
Trustee fees at 4.7 %	\$0

Total of monthly payments from paragraph 3 and 5 of plan	\$
Insurance, union dues and uniforms and retirement deducted from paycheck	\$
Other Schedule J expenses	\$0
Total of additional expenses	\$

Net monthly disposable income
x 36 = Total required to be paid to unsecured debt

Executory contract arrears from plan
paragraph 2 \$
Priority debt \$0

Total to be paid to general unsecured creditors \$ 0

ABOVE MEDIAN DEBTORS ONLY

**AMOUNTS NECESSARY TO BE PAID TO GENERAL UNSECURED CREDITORS
PURSUANT TO 11 USC SECTION 1325(b) CALCULATED AS FOLLOWS:**

Form B22C line 53

Monthly disposable income	<u>\$5,045.33</u>
Form B22C box 58	
Total of additional expenses	<u>\$5,547.90</u>
Additional expenses on Part VI	<u>\$0</u>
Net monthly disposable income	<u><u>\$0</u></u>
x 60 = Total required to be paid to unsecured debt	<u>\$ 0</u>

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above and foregoing was sent via first class mail or electronically to the party/parties listed below this 11th day of August, 2011.

Mr. John V. LaBarge, Jr.
Chapter 13 Trustee
PO Box 430908
St. Louis, MO 63143

All creditors and parties in interest as set forth on the attached sheet

Theresa N. Miller

Mortgage Guaranty/Home Commings Financi
231 Bemiston, Suite 800
Saint Louis, MO 63105

Applied Card
c/o NCO Financial
1804 Washington Blvd
Mailstop 450
Baltimore, MD 21230

AT&T Universal
PO Box 608918
Des Moines, IA 50368

Capital One
PO Box 34631
Seattle, WA 98124

Capital One Bank
PO Box 790216
Saint Louis, MO 63129

Chase
PO Box 94014
Palatine, IL 60094

Chase Manhattan
c/o Palisades Collection
702 King Farm Blvd
Rockville, MD 20850

Collegiate Funding Services
PO Box 6004
Ridgeland, MS 39158

Credit Collection Services
Two Wells Avenue
Newton Center, MA 02459

Federal Finance MRCA
PO Box 71113
Clive, IA 50325

(L.F. 13 Rev. 10/08)

First Premier Bank
PO Box 5514
Sioux Falls, SD 57117

Ford Credit
PO Box 790093
Saint Louis, MO 63179-0093

Hans Weiman
C/o MCA Management Inc.
PO Box 480
High Ridge, MO 63049

International Acceptance Corp.
PO Box 2228
Orlando, FL 32802

IRS
Special Procedures Branch
Stop 5027-STL
PO Box 66778
Saint Louis, MO 63166

Lowes
c/o Wolpoff & Abramson LLC
Two Irving Center
702 King Fardm Blvd
Rockville, MD 20850

MBNA
PO Box 15726
Wilmington, DE 19886

Metlife Home Loans
PO Box 630664
Irving, TX 75063

Missouri Department of Revenue
P.O. Box 475
Jefferson City, MO 65105

Missouri Department of Social Services
P.O. Box 109002
Jefferson City, MO 65110

Office Depot
P Box 689020
Des Moines, IA 50368

Old Republic Equity Credit Services, Inc
307 N. Michigan Ave., 13th Floor
Chicago, IL 60601-4702

Sam's Club
PO Box 8144
Findlay, OH 45840

U.S. Bank
C/o Imperial Recovery Partners, LLC
7720 W. 119th st.
Overland Park, KS 66213

U.S. Department of Justice
c/o Allied Interstate
Minneapolis, MN 55426

(L.F. 13 Rev. 10/08)

United Steelworkers of America
111 S. 10th St.
Suite. 6353
Saint Louis, MO 63102

US Bank
c/o D. Scott Carruthers & Associates
7290 Samuel Drive, Suite 300
Denver, CO 80221

Wells Fargo
PO Box 15118
Jacksonville, FL 32239

Wells Fargo
4143 121st Street
Urbandale, IA 50322

Wells Fargo
c/o NAFS
165 Lawrence Bell Drive Ste 100
Buffalo, NY 14231